

REMARKS

Claims 38-57 remain in this application. Claims 18-37 have been canceled. Claims 38-57 have been added.

Responsive to the election of species requirement set forth in the Official Action, applicant elects Species A directed to Figures 1-7, 10 and 11, without traverse.

Claims 38-43, 45-51 and 55-57 are believed to read on the elected species.

The new claims clarify that the invention is concerned with a safety device that is secured to an exposed surface of an object by fastening means which comprise a flexible fastening flap that is locally bonded to the exposed surface to render a firm and durable connection.

New claim 38 relates to an object provided with a safety device. It is noted that the application as filed describes the safety device according to the invention along its provision on a surface of an object. As such figure 1, 10, 12, for instance, show a part of the exposed surface (10) of an object with the safety device glued, welded or otherwise bonded in place. In view of the other embodiments and general teaching of the application as filed, it is immediately apparent to one of ordinary skill that these are also intended to be applied to an

exposed surface of an object. Therefore, an object, provided with a safety device, is fully supported within the scope of the application as filed and consistent with Figures 1-7, 10 and 11.

New claim 38 further specifies that the flexible fastening flap is provided locally, substantially at the location of the anchoring member, as is immediately apparent to one of ordinary skill based on the numerous embodiments shown in the application as filed and moreover follows from the text, particularly on page 8, line 9-11, which expresses that the flexible fastening flap is adhered to the existing roof covering at the location where the anchoring member will reside.

Page 13, lines 15-18 of the application as filed furthermore indicates the relative compact and convenient nature of the safety device according to the invention:

- the application as filed expresses that the flexible fastening flap is glued, welded or otherwise adhered to the surface. The expression 'adhered' is a translation of the corresponding Dutch expression 'gehecht' as used in the original Dutch application and, especially in conjunction with "glued" and "welded", leaves one of ordinary skill with no doubt whatsoever that according to the invention a physical bond is present between the flap and the surface in order to join the flap to the surface. A pressure force between two bodies which merely touch each other, in this sense, is not considered to adhere both bodies together. To more clearly express this distinction, the

expression 'otherwise adhered to the surface' has been replaced by 'otherwise bonded to the surface' in present claim 38 without departing from the original meaning.

New claim 45 recites that the flexible fastening flap is firmly connected to a substantially flat, substantially rigid body, which comprises the anchoring means. This claim is based on claim 6 as filed, be it that the expression 'substantially flange-like' has been replaced by 'substantially flat'. In general a 'flange' is a flat and usually round mounting base. Referring to the PCT-pamphlet, the application as filed at page 3, line 24-26, however, makes it clear that as far as the present invention is concerned the subject body need not be round but, in principle, can have any suitable peripheral form. Accordingly, the expression 'substantially flat body' is deemed more appropriate to characterize the inventive subject matter and remains within the scope of the application as filed.

Claim 46 recites that the safety device comprises a pre-mounted assembly in which the flexible fastening flap is unremovably pre-assembled to the rigid body as shown in all examples of the application as filed.

New claims 55-57 relate to a method of providing a safety device on a surface and is based on the description of such method on page 8, second paragraph, of the application as filed in conjunction with page 2, line 30+.

The remaining claims are directly based on a corresponding claim in the application as filed.

From this, it is apparent that the elected species represented by figures 1-7, 10 & 11 show, by way of example, a safety device for a personal fall protection locally bonded to an exposed surface (10) of an Object, comprising anchoring means with an anchoring member (1) and a flexible fastening flap (11) which extends around said anchoring means. The flexible fastening flap is connected to a substantially flat body (21) which comprises said anchoring means and extends laterally with respect to said body (see claims 38-42, 45 and 55-57).

Moreover, these figures show that the body is unremovably pre-assembled with said flexible fastening flap (claim 46).

Figures 4 & 7 show that the body comprises a substantially flange-shaped member (21) which is connected to a further substantially flange-shaped member (22) while enclosing said flap. At least one of said two substantially flange-shaped members is provided at an inner side with attaching members (26, 28), which extend into said flap. Said flange-shaped members are provided at their centre with cup-shaped profiles (25) which are nested into each other. Both flange-shaped members are mutually connected by means of a central screw bolt (2) with nut (3), wherein said screw bolt protrudes through said flap and is received together with said nut in the cups (claims 47-50).

Furthermore, these figures show that the anchoring member comprises a fixing eyelet (claim 43 and 51).

In view of the above, the new claims are fully supported and as set forth above, claims 38-43, 45-51 and 55-57 are believed to read on the elected species.

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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